

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
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ATTORNEY DOCKET NO. 10030589-1

JFw

O I P E
JAN 28 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Roitman

Serial No.: 10/669,620

Examiner: Jung, Unsu

Filing Date: September 24, 2003

Group Art Unit: 1641

Title: Near-Field and Far-Field Encoding and Shaping of Microbeads for Bioassays

COMMISSIONER FOR PATENTS

P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

<input checked="" type="checkbox"/> Response/Amendment	<input type="checkbox"/> Petition to extend time to respond
<input type="checkbox"/> New fee as calculated below	<input type="checkbox"/> Supplemental Declaration
<input type="checkbox"/> No additional fee (Address envelope to "Mail Stop Amendments")	
<input type="checkbox"/> Other:	(Fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	20	MINUS	33	= 0	X 50	\$ 0
INDEP. CLAIMS	2	MINUS	4	= 0	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 360	\$ 0
EXTENSION FEE	1 ST MONTH 120.00 <input type="checkbox"/>	2 ND MONTH 450.00 <input type="checkbox"/>	3 RD MONTH 1020.00 <input type="checkbox"/>	4 TH MONTH 1590.00 <input type="checkbox"/>	\$ 0	\$ 0
						OTHER FEES \$ 0
						TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

By 

Alan W. Cannon
Attorney/Agent for Applicant(s)

I hereby certify that this correspondence is being Deposited with the United States Postal Service as First class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 1/24/2008

Typed Name: Maria J. Sousa

Signature: 

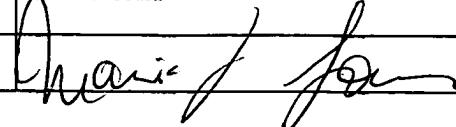
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or Printed Name	Maria J. Sousa		
Signature		Date	1/24/2008

**RESPONSE TO RESTRICTION
REQUIREMENT**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket	10030589-1
Confirmation No.	5622
First Named Inventor	Roitman
Application Number	10/669,620
Filing Date	09/24/2003
Group Art Unit	1641
Examiner Name	Jung, Unsu
Title	Near-Field and Far-Field Encoding and Shaping of Microbeads for Bioassays

Sir:

This is in response to the Restriction Requirement dated December 26, 2007 for which a one-month period for response was given making this response due on or before January 26, 2008.

THE RESTRICTION REQUIREMENT

In the Official Action dated December 26, 2007, the Examiner required an election of species among the four following species that the Examiner identified:

- "Species A" – silver-containing films;
- "Species B" – indium-containing films;
- "Species C" – antimony-containing films; and
- "Species D" – tellurium-containing films.

Further, the Examiner has indicated that no claim is generic to all of the listed species.

The Examiner required election of one of the above-listed species a-d to be responsive to the Office Action.

RESPONSE

In response to the restriction requirement, Applicants elect Species D, tellurium-containing films, claims 1-4, 6-14, 16-18 and 29. Applicants respectfully submit that all of claims 1-4, 6-14, 16-18 and 29 are generic.